

Jenifer Wallis (State Bar No. 303343)
jwallis@munckwilson.com
Nicole Goss (State Bar No. 322208)
ngoss@munckwilson.com
MUNCK WILSON MANDALA, LLP
1925 Century Park East, Suite 2300
Los Angeles, California 90067
Telephone: (310) 286-0377

Attorneys for Plaintiff Iglesia Ni Cristo

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IGLESIA NI CRISTO (Church of Christ),
Plaintiff,

v.

LUISITO E. CAYABYAB, ISAIAS T.
SAMSON, JR., ROLANDO DIZON, JR.,
LIONEL ROQUE DELA USO, ALLAN
MONTE DE RAMOS, JERIEL NEMIS,
JESLE LLABAN KUIZON, BERNARD
GARCIA, LIEZL DIAS-DEOCAMPO,
EDWIN LIONEL R. MORA, ALLAN
VILLANUEVA, H2O NOW USA, a
California non-profit mutual benefit
corporation,

Defendants.

Case No. 5:18-cv-00561-BLF

(Hon. Beth Labson Freeman)

**PLAINTIFF IGLESIA NI CRISTO'S
REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF ITS OPPOSITION TO
DEFENDANTS LUISITO E. CAYABYAB,
ROLANDO DIZON, JR., LIONEL ROQUE
DELA USO, ALLAN MONTE DE RAMOS,
JESLE LLABAN KUIZON, EDWIN
LIONEL R. MORA, ALLAN
VILLANUEVA, AND H2O NOW USA'S
MOTION FOR SUMMARY JUDGMENT;
DECLARATION OF NICOLE M. GOSS,
ESQ.**

*[Filed concurrently with Opposition and
Declaration of Restituto S. Lazaro]*

Action Filed: January 25, 2018

Date: February 27, 2020

Time: 9:00 a.m.

Judge: Hon. Beth Labson Freeman

Ctrm.: 3, 5th Floor

**TO THE HONORABLE COURT, ALL PARTIES, AND THEIR COUNSEL OF
RECORD:**

PLEASE TAKE NOTICE that Plaintiff Iglesia Ni Cristo (“Plaintiff”) hereby moves pursuant to Rule 201 of the Federal Rules of Evidence for an Order taking judicial notice of the following document, attached as Exhibit A, in support of Plaintiff’s Opposition to Defendants Luisito E. Cayabyab, Rolando Dizon, Jr., Lionel Roque Dela Uso, Allan Monte De Ramos, Jesle Llaban Kuizon, Edwin Lionel R. Mora, Allan Villanueva, and H2O Now USA (collectively “Defendants”) Motion for Summary Judgment (the “Motion”):

1. Iglesia Ni Cristo’s “Our History” Webpage.

“The court: (1) may take judicial notice on its own; or (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.” FED. R. EVID. 201(c).

“The court may take judicial notice at any stage of the proceeding.” FED. R. EVID. 201(d).

“The court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” FED. R. EVID. 201(b). Judicial notice of information obtained from a website is proper when neither party questions the authenticity of the site. *Pollstar v. Gigmania Ltd.*, 170 F. Supp. 2d 974, 978 (E.D. Cal. 2000). A court may take judicial notice of a matter of public record. *Moore v. Navarro*, 2004 U.S. Dist. LEXIS 6039, *5 (N.D. Cal. Mar. 31, 2004).

///

///

///

///

///

///

///

///

1 Iglesia Ni Cristo's "Our History" Webpage is integral to the determination of Defendants'
2 Motion. The "Our History" Webpage demonstrates the fame and strength of Plaintiff's marks
3 which are the subject of Plaintiff's cause of action for federal trademark infringement.
4 Defendants' Motion seeks summary adjudication of Plaintiff's causes of action for federal
5 trademark infringement, false designation of origin, unfair competition under California Business
6 and Professions Code § 17200 *et seq.*, and unfair competition under California common law. *See*
7 Motion at p. 5-6. Finally, Iglesia Ni Cristo's "Our History" Webpage is available on Plaintiff's
8 website at <https://iglesianicristo.net/our-history/>.

9
10 DATED: February 4, 2020

MUNCK WILSON MANDALA, LLP

11
12 By: /s/Jenifer Wallis
13 Jenifer Wallis
14 Nicole Goss
15 Attorneys for Plaintiff Iglesia Ni Cristo (Church of
16 Christ)
17
18
19
20
21
22
23
24
25
26
27

EXHIBIT A



NEWS & MEDIA

DIRECTORY

CONTACT US



Our History

The Iglesia Ni Cristo was preached by Brother Felix Y. Manalo, God's Messenger in these last days, and was registered in the Philippines on July 27, 1914.



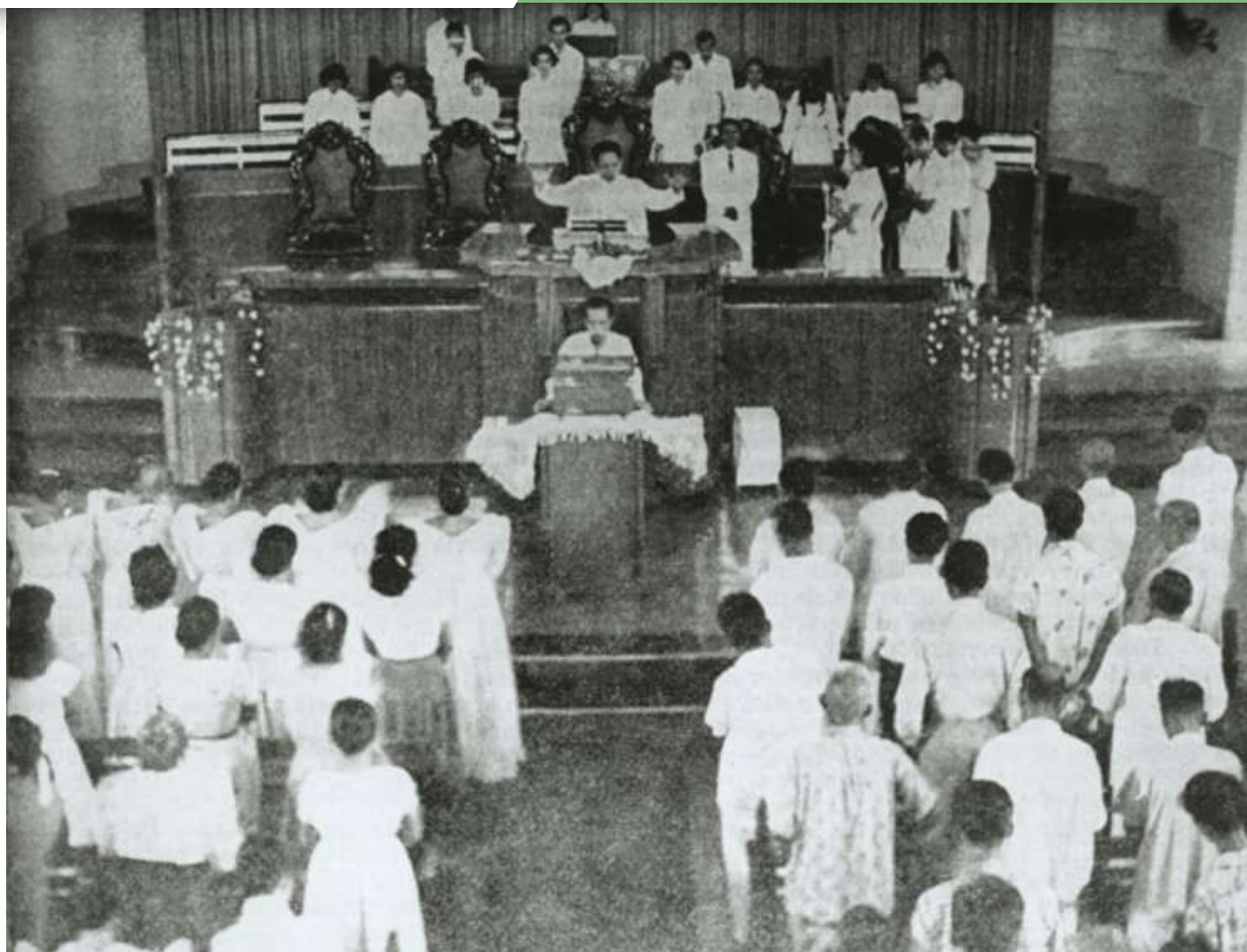
From its first local congregation in Punta, Sta. Ana, Manila, the Church quickly spread not only throughout the metropolis but also to the neighboring provinces in Luzon and across the islands of Visayas and Mindanao.



NEWS & MEDIA

DIRECTORY

CONTACT US



When Brother Felix Manalo was laid to rest in April 1963, the Church had already established ecclesiastical districts in more than half of all the provinces in the country.

In 1968, the Church, led by Brother Eraño G. Manalo, the Executive Minister then, successively established the first two local congregations outside the Philippines—Honolulu, Hawaii and San Francisco, California in the USA.



NEWS & MEDIA

DIRECTORY

CONTACT US



Thus began the Church's expansion in the Far West and eventually around the world.

From then up to the end of the '70s, the Church went on to spread throughout the continents of North America (establishing local congregations and group worship services [GWS] in other states and territories, such as New York and Guam in 1969, and Canada in 1971); Europe (the first local congregation, London [now Battersea], was established in 1972); Australia, mid-'70s; Asia (China, by way of Hong Kong in 1974; Thailand in 1976; and Japan in 1977); and Africa (Nigeria and South Africa in 1978). By the end of the '80s, there were local congregations and GWS in the Scandinavian countries and their neighbors.

The first local congregation in Latin America was established in Guantanamo Bay, Cuba in 1990.

Congregations were also established in world cities that are of great relevance to the history of Christianity—



At the dawn of the new millenium, the Church's mission reached South America with the establishment of GWS in Brazil and Peru. Before Brother Eraño was laid to rest on August 31, 2009, the Church had been spreading continuously in different parts of the world.

Through the leadership of its present Executive Minister, Brother Eduardo V. Manalo, the Church continues to progress and succeed. Its membership has been constantly increasing.



Thousands of ministers and Church officers are being added worldwide. The construction and renovation of houses of worship, Church edifices, and other structures also continue, not only in the Philippines but also in other countries.

The houses of worship in Washington, DC; Barcelona, Spain; and Amsterdam, The Netherlands are just a few of those outside the Philippines that were dedicated to God in recent years, thus strengthening the Church's presence in other countries worldwide.



NEWS & MEDIA

DIRECTORY

CONTACT US



NEWS & MEDIA

DIRECTORY

CONTACT US





NEWS & MEDIA

DIRECTORY

CONTACT US

[NEWS & MEDIA](#)[DIRECTORY](#)[CONTACT US](#)

On July 21, 2014, the Iglesia Ni Cristo inaugurated the Philippine Arena, currently the world's "largest mixed-use indoor theatre." This megastructure that sits in Ciudad de Victoria, Bocaue, Bulacan was the venue of the Church's centennial celebration held on July 27, 2014, which was attended by millions of its members from all over the world.



NEWS & MEDIA

DIRECTORY

CONTACT US





NEWS & MEDIA

DIRECTORY

CONTACT US



NEWS & MEDIA

DIRECTORY

CONTACT US

The Iglesia Ni Cristo has an international membership comprising 147 racial and ethnic backgrounds.



NEWS & MEDIA

DIRECTORY

CONTACT US



NEWS & MEDIA

DIRECTORY

CONTACT US

It maintains nearly 7,000 congregations and missions grouped into more than 160 ecclesiastical districts in 153 countries and territories in the six inhabited continents of the world.

Our Projects



Our Programs



NEWS & MEDIA

DIRECTORY

CONTACT US



Our Activities



Our History



CERTIFICATE OF SERVICE

I certify that on February 4, 2020, I electronically filed the foregoing Plaintiff Iglesia Ni Cristo's Request for Judicial Notice in Support of Its Opposition to Defendants Luisito E. Cayabuyab, Rolando Dizon, Jr., Lionel Roque Dela Uso, Allan Monte De Ramos, Jesle Llaban Kuizon, Edwin Lionel R. Mora, Allan Villanueva, and H2O Now USA's Motion for Summary Judgment; Declaration of Nicole M. Goss, Esq. with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record.

Dated: February 4, 2020

By: /s/Claudia Sherman
Claudia Sherman